

REMARKS/ARGUMENTS

With the foregoing amendments, Claims 1-20 are pending in the application. Claims 1 and 15 have been amended as supported by the specification, for example, paragraph number 14, line 11 as well as paragraphs 3 and 8. No new matter has been added by the amendments. Claim 21 has been cancelled without prejudice.

Claims 1, 6-12, and 15 stand rejected under 35 U.S.C. 102(b) as allegedly anticipated by 101 Weaves in 101 Fabrics, pages 5, 22, and 46. Applicant respectfully requests the withdrawal of the rejection in view of the foregoing amendments and the following facts.

The 101 Weaves reference does not disclose (or suggest) the claimed invention. The claimed invention requires a fabric with soil-hiding yarns and at least one soil-prone yarn that is not visually distinguishable from the soil-hiding yarns before the fabric has been soiled. See, for example, a visual depiction of the invention in Figure 1 of the application. As clearly seen in Figure 1, no one can visually distinguish the soil-hiding yarns from the soiling-prone yarn. The 101 Weaves reference does not disclose this invention. As correctly noted by the examiner, the 101 Weaves reference simply discloses two different colored yarns -- which are per se visually distinguishable. This is completely different and is the antithesis of the claimed invention. Thus, not only does 101 Weaves not disclose the claimed invention, it unequivocally teaches away from the claimed invention. As a result, applicant respectfully requests the withdrawal of the rejection.

Claims 1, 6-13, 15, 19, and 20 stand rejected under 35 U.S.C. 102(b) as allegedly anticipated by Endrenyi (U.S. Patent 4,877,669). Applicant respectfully requests the withdrawal of this reference for the same reasons as noted above. As correctly stated by the examiner,

Endrenyi discloses a carpet comprising at least two different colored yarns – which, again, is the antithesis of the claimed invention and unequivocally teaches away from the claimed invention.

Claims 1-6 and 9-13 stand rejected under 35 U.S.C. 102(b) as allegedly anticipated by Hong (KR 9206129 B). Applicant respectfully requests the withdrawal of this rejection for reasons similar to the above reasons. As noted by the examiner, Hong discloses a fur comprising long and short pile -- which are per se visually distinguishable from each other. Moreover (and to address any possible obviousness assertion), if the piles were the same length, Hong would not utilize hollow yarns and trilobal yarns for the same length pile if they look the piles look the same because it would be an added manufacturing cost without any reason for using two different type yarns that would allegedly look identical. Thus, Hong teaches away from the claimed invention.

Claims 1-6 and 8-21 stand rejected under 35 U.S.C. 102(b) as allegedly anticipated by Hagen (U.S. Patent 5,413,857). Applicant respectfully requests the withdrawal of this rejection in view of the claims and the following facts.

The Office Action states that Hagen discloses a carpet yarn comprising a blend of two different types of fibers -- not a carpet using different yarns. Stated another way, Hagen discloses a carpet having the same yarns – which is not claimed in the subject application. Furthermore, Hagen's fibers are blended so that they can allegedly dye the same. If Hagen's yarns were utilized in a manner allegedly like the claimed invention as shown in Figure 1, Hagen's carpet would not result in the claimed invention or allow the monitoring of soiling. Indeed, the entire soiled carpet would visually look the same. Moreover, Hagen's carpet teaches away from the claimed invention because it is counter intuitive and contrary to the teachings of Hagen to use visually indistinguishable yarns next to each other. Stated another way, the extra

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manufacturing costs of using two different types of yarns that are visually indistinguishable and that are located next to each other would not serve the purposes of Hagen and would be teaching away from Hagen. As a result, applicant requests the withdrawal of the rejection.

In view of the foregoing amendments and remarks, applicant submits that this case is in condition for allowance. A notice to that effect is earnestly solicited.

If the examiner has any questions concerning this case, the undersigned may be contacted at 703-816-4009.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



Duane M. Byers
Reg. No. 33,363

DMB:lfo
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100